

Law Enforcement Update

August, 24th, 2015

A contingency of Tribal Representatives recently returned from a trip to Washington, DC on August 17th-22nd. Chairman Ryan Jackson, Councilman Bradley Marshall, Police Chief Ed Guyer II, Self-Governance Coordinator Danny Jordan and Self-Governance Policy Analyst Pliny McCovey Jr. met with over half a dozen federal agencies and their representatives to continue their push toward advancing our law enforcement agenda. This is the second of three trips to DC in order to pursue the education and proposed support of several key issues for the Hoopa Valley Tribe (HVT) and Council.

SPECIAL LAW ENFORCEMENT COMMISSION (SLEC)

On the second day in Washington, D.C. the Tribal Council voted to pass Resolution 15-35 effectively finalizing our ongoing negotiations with BIA Office of Justice Services (OJS) to move forward with the approval of the Special Law Enforcement Commission (SLEC). The SLEC allows the OJS to deputize the Tribe's police officers to be specially commissioned officers of the US Department of the Interior (SLEC Officers). This also would grant Tribal Officers the authority to enforce all applicable federal laws within the Hoopa Valley Indian Reservation (HVIR). In addition to enhanced enforcement capabilities, the SLEC covers several liability issues as well, including the addition of insurability under the Federal Tort Claims Act for all SLEC Officers. This is a huge victory for the Hoopa Tribe on an issue that has been ongoing since 2011. The resolution marks the beginning of an eventual transformation of the Hoopa Tribal Police Department.

FEDERAL JURISDICTION UNDER TRIBAL LAW AND ORDER ACT (TLOA)

In addition to the SLEC designation, the HVT has been working toward federal concurrent jurisdiction over certain criminal matters within the HVIR. Under the Tribal Law and Order Act of 2010 (TLOA) Section 221 the Federal Government has released criminal jurisdiction and resources to the States, and under section 401 part 2 the United States "shall accept concurrent jurisdiction" if requested to do so by an Indian Tribe. Only one Tribe in the Nation has successfully received concurrent federal jurisdiction, and the Hoopa Tribe is working hard to be the second. This would effectively increase the availability of law enforcement on the HVIR, improving public safety and criminal law enforcement and thus reducing crime within the reservation. We were unable to meet with Tracy Toulou, Director of the Office Tribal Justice within the US Department of Justice, however a meeting has been rescheduled for our next visit.

MOU WITH HUMBOLDT COUNTY SHERIFF'S OFFICE

The currently extended MOU between the HVT and the Humboldt County Sheriff's Office is set to expire on the 23rd of September. No effective communication or negotiations have taken place since the extension, however the Chairman's Office has been focused on the Federal side of the negotiations and will soon return focus to the local and State issues at hand. The MOU and Cross-Deputization with the

Humboldt County Sheriff's Office will fill a vacuum that has existed for several years and has become a growing need on the HVIR. During the past trip to the Capitol, the Hoopa Delegation had a chance to sit down with Darren Cruzan with BIA-OJS, who agreed to travel to Hoopa in an effort to alleviate some of the issues that may be holding up this MOU and its long term stability.

MISCELLANEOUS MEETING/DISCUSSIONS

We had a chance to meet with Amy Staubs who is a Policy Advisor for the US Department of Justice (DOJ), who offered us many areas where DOJ can offer technical assistance in order to advance our current system and infrastructure. Assistance could include criminal code development, jail infrastructure development, and also offered to help mediate the county MOU agreement. We were also able to discuss the announcement time of a pending grant the HVT has currently with DOJ, and announcements will be made mid-September.

David Munro is the Director of Tribal Government Affairs for Homeland Security and was able to walk us through many areas to pursue funding wise as well as handing us the playbook on the Tribal Affairs program. Although this is certainly an area to look into for the future, currently Homeland has areas they are able to assist regarding immigration issues and illegal marijuana operations on neighboring lands.

Finally a meeting with Cindi Ptak and Russell Garcia with US Department of Transportation (DOT) Office of Federal Lands Highway was productive in discussion leading up to possible funding opportunities with Federal and State DOT.